

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:14-CV-188**

PEGGY JEAN HICKS,

Plaintiff,

v.

ZIMMER INC., ZIMMER HOLDINGS,
INC., ZIMMER ORTHOPAEDIC
SURGICAL PRODUCTS, INC., DOES 1-
10,

Defendant.

ORDER

To date, Plaintiff has not filed a proof of service with the Court in accordance with Rule 4(l). Rule 4(m) provides that:

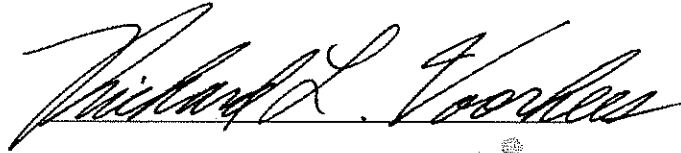
If a defendant is not served within 120 days after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Accordingly, Plaintiff was **ORDERED** to show cause why this action should not be dismissed without prejudice. (Doc. 5). Plaintiff was directed to respond within ten (10) days. The Clerk mailed the aforementioned Order to two addresses on file for Plaintiff. (See ECF entry dated July 15, 2015). Plaintiff has yet to respond and the period has elapsed.

Therefore, this action is **DISMISSED WITHOUT PREJUDICE** for failure to serve the Defendants pursuant to Rule 4(m).

SO ORDERED.

Signed: August 17, 2015

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

Richard L. Voorhees
United States District Judge

